

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 21, 27 and 31 to more clearly claim the invention. Applicant respectfully submits no new matter has been added. Accordingly, claims 21-36 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 21-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Candelore (US Patent No. 7,124,303) in view of Lorello (US Patent No. 6,751,463). The Applicant respectfully traverses the rejection of these claims

The Applicant respectfully directs the Examiner's attention to claim 21. Claim 21 recites:

21. (Currently Amended) A sender for transmitting a content file to an end user terminal, said sender comprising:
means for dividing the content file into a first part and a second part;
means for sending the first part to the end user terminal via at least one cache server in a first network, wherein the first part is an unencrypted portion of the content file;
means for encrypting the second part without using the at least one cache server, wherein the second part is an encrypted portion of the content file;
security server means for providing a key necessary for decrypting the encrypted second part;
means for sending the encrypted second part to the end user terminal via a second network; and
means for sending the key to the end user terminal via a third network, wherein the third network comprises a short message service (SMS) network and the key is included in a short message service message. (emphasis added)

As previously described, the present invention divides a content file into two parts and sends both parts to an end user terminal. As disclosed in Figure 3 and the narrative describing Figure 3, the first part is sent to the end user via a first network, the second

part, a necessary and smaller part of the file, is encrypted and sent via a second network and the key to the encrypted part is sent via a third network. The Applicant respectfully submits that the prior art references Candelore and Lorello fail to route the content file parts and the decrypting key via separate networks. Furthermore, the prior art references do not contain any suggestion (express or implied) that they be combined.

The Candelore reference is cited (col. 6, lines 25-46) as disclosing sending the second part via a second network. Since Candelore is a Conditional Access (cable network) system and the drawings and Detailed Description of Candelore's invention do not disclose a second, much less a third network, then Candelore cannot send a second, encrypted part to the end user via a second network as claimed in claim 21 by the Applicant.

The Lorello reference does not supply the missing limitations. Lorello does not disclose the use of separate networks to send two parts of the content file, one part encrypted, nor does the Lorello reference disclose sending a key to the encrypted part to the end user. The uses of the SMS network are well known and the Lorello reference merely discloses the use of the SMS service to send and store messages. Neither Lorello nor Candelore disclose the use of the SMS network for sending a decryption key to an end user to decrypt the encrypted second part of the content file.

This being the case, the Applicant respectfully requests the allowance of claim 21, 27 and 31 as claims 27 and 31 contain similar limitations. Claims 22-26, 27-30 and 32-26 depend from amended claims 21, 27 and 31 and recite further limitations in combination with the independent claims. Therefore, the allowance of claims 21-36 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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Date: November 6, 2008

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